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7 The California City Redevelopment Agency  
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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

11 LARRY EDWARD FITZPATRICK, et al., ) **CASE NO. CV-F-96-5411-OWW-SMS**  
12 Plaintiffs, )  
13 vs. ) **[Action Filed: April 22, 1996]**  
14 CITY OF CALIFORNIA CITY, a California )  
corporation, ) **STIPULATION AND ORDER**  
15 ) **TO CONTINUE HEARING ON**  
16 Defendant, ) **MOTION FOR ORDER FOR**  
17 ) **MODIFICATION OF LOAN TERMS**  
18 THE CITY OF CALIFORNIA CITY )  
REDEVELOPMENT AGENCY, a public ) **(Document #94)**  
19 Body, corporate and politic, )  
20 )  
21 Intervenor and Defendant. ) **Current Date: February 28, 2011**  
22 ) **New Date: March 28, 2011**  
23 // ) **Time: 10:00 a.m.**  
24 // ) **Courtroom: 3 (OWW)**  
25 // )  
26 )  
27 )  
28 )

1 On or about November 30, 2010, Defendant City of California City filed its Motion  
2 for Order for Modification of Loan Terms to be heard January 28, 2011.

3 On or about December 2, 2010, the court reassigned the case to the Honorable Oliver  
4 Wanger, and continued the motion to February 28, 2011. However, Plaintiff's counsel,  
5 Marshall Whitney is involved in two trials through the months of January and February, and  
6 requested a continuance of the motion. Accordingly,

7 **IT IS HEREBY STIPULATED**, by and between the parties, through their  
8 respective attorneys of record, that the hearing on City of California City's Petition for  
9 Order for Modification of Loan Terms currently scheduled for February 28, 2011, be  
10 continued to **March 28, 2011**, at 10:00 a.m. in Courtroom 3, before the Honorable Oliver  
11 W. Wanger.

12 DATED: December 21, 2010

LEMIEUX & O'NEILL

13 /s/ Steven P. O'Neill

14 By \_\_\_\_\_  
15 STEVEN P. O'NEILL  
16 Attorneys for City of California City

17 DATED: December 23, 2010

18 McCormick, Barstow, Sheppard, Wayte & Carruth

19 /s/ Marshall Whitney

20 By \_\_\_\_\_  
21 MARSHALL WHITNEY  
22 Attorneys for Plaintiffs

## ORDER

Good cause having been show,

**IT IS HEREBY ORDERED** that City of California City's Motion for Order for Modification of Loan Terms currently scheduled for February 28, 2010, be continued to **March 28, 2011**, at 10:00 a.m. in Courtroom 3 of the above-entitled court.

All opposing papers and reply papers to follow the new date.

IT IS SO ORDERED.

Dated: **December 28, 2010**

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE